

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

No. C-10-1321 MHP

BORIS Y. LEVITT and CATS AND DOGS ANIMAL  
HOSPITAL, INC.,

Plaintiffs,

vs.

YELP! INC.,

Defendant.

No. C-10-2351 MHP

CATS AND DOGS ANIMAL HOSPITAL, INC., et al.

Plaintiffs

vs.

YELP! INC.,

Defendant.

**ORDER RE CMCS  
AND DISCOVERY**

These actions are scheduled on this court's calendar for July 19, 2010 at 2:00 p.m. for a motion to consolidate and for Case Management Conferences ("CMC").<sup>1</sup> The court will also treat this as a Rule 26(f) conference and the parties should be prepared to discuss matters accordingly. Activity around discovery has been occurring in the C-10-2351 action, which was received in this district on May 28, 2010 on an order transferring the action from the Central District.

1 The parties are instructed to refrain from conducting discovery (other than initial  
2 disclosures), making discovery requests, and filing motions regarding discovery (for which this  
3 court uses more efficient tools). At the CMC the court will take up with the parties in both actions  
4 pretrial plans for the cases including discovery plans, i.e., Federal Rules of Civil Procedure 16 and  
5 26 plans, and the setting of dates to accomplish necessary discovery. Initial disclosures, if not  
6 accomplished already, should proceed; all other discovery is in abeyance until resolved at the CMC.

7 The date of July 26, 2010, for which a motion related to discovery is noticed, is vacated and  
8 the matter will be taken up at the CMC on July 19 in connection with discovery plans, and not as a  
9 motion.

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11 IT IS SO ORDERED.

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13 Date: July 8, 2010

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15 MARILYN HALL PATEL  
16 United States District Court Judge  
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**ENDNOTES**

1. If counsel in C-10-2351 are unaware of this date or believe the CMC is set for another date, this order advises them that the CMC in both actions will be held on July 19 and their Joint CMC Statements shall be filed in C-10-2351 on or before July 15, 2010. The date for filing the Joint CMC Statement is C-10-1321 remains July 12, 2010, per the standing order.